



**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

MARION ANDERSON,

Plaintiff,

vs.

E.K. MCDANIEL, *et al.*,

Defendants.

Case No. 3:09-cv-0452-RCJ-RAM

**ORDER**

On August 25, 2009, this Court entered an order (#3) instructing Plaintiff to submit a statement of this inmate trust account or pay the \$350.00 filing fee in full. Plaintiff had up to and including September 26, 2009, in which to do so. The Court further advised Plaintiff that failure to comply with the Court's order would result in dismissal of his action. Plaintiff has not submitted a the required documentation or paid the \$350.00 filing fee in full. Plaintiff has failed to comply with the Court's order.

**IT IS THEREFORE ORDERED** that Plaintiff's Application to Proceed *in Forma Pauperis* (#1) is **DENIED without prejudice**.

**IT IS FURTHER ORDERED** that this action shall be **DISMISSED without prejudice**. The Clerk of the Court shall enter final judgment accordingly.

DATED: This 8<sup>th</sup> day of October, 2009.

UNITED STATES DISTRICT JUDGE